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PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

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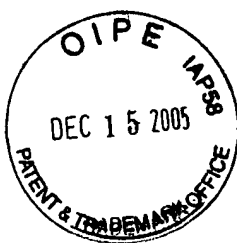
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/073,494
	Filing Date	May 6, 1998
	First Named Inventor	Pan et al.
	Group Art Unit	2811
	Examiner Name	H. Vu
Attorney Docket Number		2269-2915.1US (96-0149.01/US)

ENCLOSURES (check all that apply)		
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Firm or Individual name	Bradley B. Jensen	Registration No. 46,801
Signature		
Date	December 13, 2005	

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Pan *et al.*

Serial No.: 09/073,494

Filed: May 6, 1998

For: OPERABLE GATE STACK WHICH  
IS SUBSTANTIALLY DEVOID OF  
PITTING AND SEMICONDUCTOR  
DEVICE COMPRISING SAME

Confirmation No.: 9834

Examiner: H. Vu

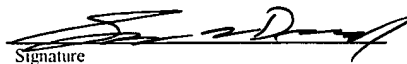
Group Art Unit: 2811

Attorney Docket No.: 2269-2915.1US  
96-0149.01/US

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AMENDMENT UNDER 37 C.F.R. § 1.116

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Sir:

The following amendments and remarks are filed in response to the Examiner's remarks in the Final Office Action mailed October 18, 2005, the three-month shortened statutory period for response to which expires on January 18, 2006. This response is submitted on or before two months from the mailing date of the Final Office Action.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.